

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Appeal From Order no.1121 of 2005
with
Civil Application No.1381 of 2005

Office Notes, Office Court or Judge's Order
Memorandum of Coram
appearance, Court's
Orders & Directions
and Registrar's Order

Mr.G.V.Bhagwat for Divekar and co for
appellants
Mr R.V Govilkar for respondent no.s 1
to 13
Mr G.S.Hegde for respondent no.17
Mr Fanhar Dubhas with Vinod Shinde for
respondent no. 14

CORAM; A.M.KHANWILKAR J.

DATED 13.6.2006

P.C.

. Heard counsel for the parties. In the fact situation of the present case no interference is warranted. This is so because it is seen that the property has now been transferred in favour of respondent no. 14 by a registered sale deed. The document placed on record by the appellants for claiming title with regard to the suit

property is admittedly a unregistered document. Be that as it may. For the reasons recorded by the trial court, with which I am in agreement, no interference is warranted at this interlocutory stage. Instead, the appeal is disposed of by directing the trial court to decide the special civil suit no.138 of 2005 as expeditiously as possible and in any case by the end of December 2006. All questions are left open. It is brought to my notice that an application to invoke section 8 of the Arbitration Act has been filed before the trial court which is pending for consideration in the same court. The trial court may be well advised to dispose of the said application expeditiously. This direction was issued on the assurance given by the parties through their respective counsel to cooperate with the trial court.